

City of Benton

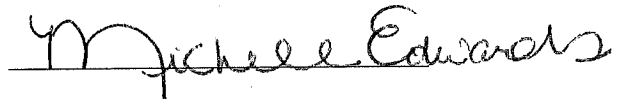
1009 Main Street
Benton, Kentucky 42025
(270) 527-8677

Annexation to the City of Benton Ordinance Number 13-2-4

I certify I am the duly qualified city Clerk of the City of Benton, Kentucky, and the foregoing 4 pages of Ordinance No. 13-2-4 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on February 18, 2013, all as appears in the official records of the said City of Benton, Kentucky.

Witness, my hand and the Seal of the City of Benton, this
27 day of March, 2013.

Seal



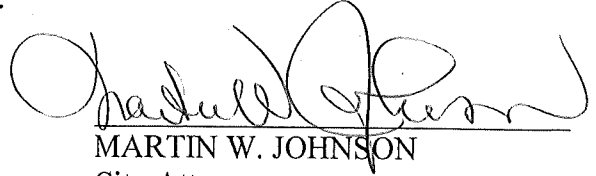
Michele Edwards
Benton City Clerk

RECEIVED AND FILED
DATE May 15, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandi Allison

"AN ORDINANCE ANNEXING PROPERTY OWNED BY DAVID HENSON AND WIFE, SANDY HENSON." This Ordinance is summarized as follows: David Henson and Sandy Henson ask that the 2.9 acre tract on Highway 58 be annexed into and made a part and portion of the City of Benton, Kentucky. A complete copy of this Ordinance is available for viewing at the City Hall during regular business hours.

I hereby certify that the above is a true and correct summary of an Ordinance adopted by the City of Benton on 2/18, 2013.

A handwritten signature in black ink, appearing to read "Martin W. Johnson", is written over a horizontal line.

MARTIN W. JOHNSON

City Attorney

Post Office Box 450

Benton, Kentucky 42025

**AN ORDINANCE
ANNEXING PROPERTY OWNED BY
DAVID HENSON AND WIFE, SANDY HENSON**

WHEREAS, the hereinafter described property is now owned by David Henson and wife, Sandy Henson as shown by deed dated September 19, 1988, of record in Deed Book 233, page 456, of the Marshall County Court Clerk's Office; and

WHEREAS, the Property Owners have requested that same be annexed into and made a part and portion of the City of Benton, Kentucky; and

WHEREAS, the Property Owners have consented to said annexation in accordance with the provisions of KRS 81A.412 et seq. and the City may adopt an Ordinance annexing same into the City without the necessity of giving notice of its intent to do so to any third parties or publication of any Ordinance expressing the City's intent to annex said property; and

WHEREAS, the City intends to annex the said property with a Zoning Classification of C-2 for the property of which this tract is a portion is zoned C-2 in the City's Zoning Ordinance;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Benton, Kentucky as follows:

1. The written consent of the property owner of the subject property having been given for the City to annex said property, which is more particularly described in paragraph 2, hereof, same is hereby annexed into and made a part and portion of the City of Benton, Marshall County, Kentucky same having been found to have a boundary contiguous to the existing corporate limits of the City and the City having found it to be desirable and in its interest for same to be annexed with a Zoning Classification of C-2.

2. The property subject of this Ordinance and so annexed into the City pursuant to the provisions hereof has been platted and a plat of same has been filed in the Marshall County Court Clerk's Office and same is more particularly described as follows:

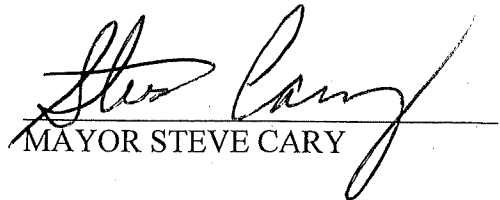
Legal description of a 2.9 acre tract of land being annexed into the city of Benton, Kentucky and is located east of the U. S. 641 Bypass and north of KY. Hwy 58 and being further described as follows:

Commencing at a ½" x 18" iron rebar set with red plastic cap stamped "D McGrew RPLS #3772" (hereafter all references to "iron pin set" are of this same description) along the existing east right-of-way line of U. S. 641 Bypass (along a steel right-of-way fence) and the north right-of-way line of KY. Hwy 58; thence leaving the north right-of-way of KY Hwy. 58 and continuing along existing fence and right-of-way line of U. S. 641 Bypass, N58°37'23"W, 122.16' to a steel fence pull post set in concrete a corner of said existing right-of-way fence; thence continuing along said right-of-way fence, N22°35'01"W, 161.33' to the north line of the existing City of Benton, city limits and the **True Point of Beginning**; thence continuing along existing right-of-way fence, N22°35'01"W, 71.89' to a steel pull post found, set in concrete at right-of-way fence corner; thence N18°39'21"W, 282.65' to an iron pin set along the right-of-way fence and being a common corner to Susan and Andrew L. Sedlock, as recorded in Deed Book 224, Page 519; thence leaving said right-of-way of U. S. 641 Bypass and right-of-way fence and continuing along the lands of said Sedlock, N70°22'44"E, 488.00' to an iron pin set near the base of a lone steel fence post found; thence continuing along said Sedlock lands, S19°37'16"E, 160.16' to a point along the north line of said existing city limits; thence leaving the lands of said Sedlock and continuing along the north line of said Benton city limits; S48°42'59"W, 526.21' to the **Point of Beginning** having an area of 126,335 square feet or 2.9003 acres to be included into the annexation of the Benton City Limits.

This legal description was prepared and based on a survey by American Surveying dated March 1, 2012. All bearing shown hereon are referenced to Deed Book 233, Page 456.

3. This Ordinance shall be effective upon the 1st day of January, 2013.

Passed this the 18th day of February, 2013.


MAYOR STEVE CARY

ATTEST:


MICHELE EDWARDS, CITY CLERK

FIRST READING: 2/18/13
PUBLICATION: _____

VOTE

	<u>AYE</u>	<u>NAY</u>
CHARLES EDMONDS	☒	
STANLEY HOLLAND	☒	
BILLY THORPE	☒	
CHRIS FREELAND	☒	
RITA DOTSON	☒	
JOSH HENDRICKSON	☒	

March 22, 2012

Mrs. Lois Cunningham
Planning & Zoning Commission
City of Benton

I, Kenneth David Henson, and wife Sandy Henson, request to change the newly annexed R-1 property to C-2 zoned property for future business development. The purpose is to bring in Commercial Business.

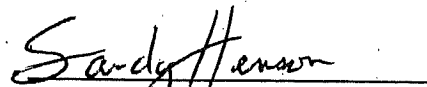
Property Location: 6.0 acre tract of land being located east of the U.S. 641 Bypass and north of KY Hwy 58 and being further described as follows:

Legal Description:

Beginning at a 1/2 " x 18" iron rebar set with red plastic cap stamped "D McGrew RPLS #3772" (hereafter all references to "iron pin set" are of the same description) along the existing east right-of-way line of U.S. 641 Bypass (along a steel right-of-way fence) and the north right-of-way line of KY Hwy. 58; thence leaving the north right-of-way of KY Hwy. 58 and continuing along the existing fence and right-of-way line of U.S. 641 Bypass, N58°37'23"W, 122.16' to a steel fence pull post set in concrete a corner of said existing right-of-way fence; thence continuing along said right-of-way fence, N22°35'01"W, 233.22' to a steel fence pull post set in concrete a corner of said existing right-of-way fence; thence continuing along said right-of-way fence, N18°39'21"W, 282.65' to an iron pin set along the right-of-way fence and being a common corner to Susan and Andrew L. Sedlock, as recorded in Deed Book 224, Page 519; thence leaving said right-of-way of U.S. 641 Bypass and right-of-way fence and continuing along the lands of said Sedlock, N70°22'44"E, 488.00' to an iron pin set near the base of a lone steel fence post found; thence continuing along said Sedlock lands, S19°37'16"E, 449.12' to a 1/2 " iron rebar found along the north right-of-way line of KY Hwy. 58; thence leaving the lands of said Sedlock and continuing along the north right-of-way of said KY Hwy 58, S48°36'07"W, 434.86' to the Point of Beginning, having an area of 261,362 square feet or 6.0000 acre.

Sincerely,


Kenneth David Henson
270-559-0209


Sandy Henson

114

6A

DEED

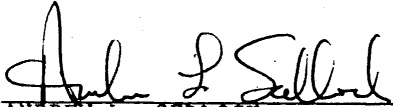
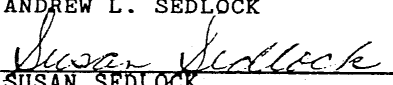
BE IT KNOWN THAT Andrew L. Sedlock and wife Susan Sedlock, of Benton, Marshall County, Kentucky, for and in consideration of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration not herein mentioned, the receipt of which is hereby acknowledged, have sold and hereby convey unto David Henson and wife, Donna Henson, jointly and equally with right of remainder in fee simple title to the survivor of them, their heirs and assigns, whose address is Route 3, Benton, KY 42025, the following described land lying in Marshall County, Kentucky, viz:

A 6.0 acre parcel of land located west of the Benton Community of Marshall County and more particularly described as beginning at the southeast corner of the property herein described, said corner being a 2" post set in the north right-of-way of Hwy. 58, 30 feet north of the center, and 425 feet southwest of a 1/2" steel rebar set at the southwest corner of the West Oaks Subdivision as described by plat recorded on Slide 385, in the Marshall County Court Clerk's Office records. Said point of beginning also being 200' west of the southwest corner of the Nancy Phillips property as described in Deed Book 116, page 60; thence, South 48° 36' 05" West 434.86 feet along the north right-of-way of Hwy. 58 to a 2" post in the east right-of-way fence of the U. S. Hwy. 641 bypass; thence, along the east right-of-way fence of U.S. Hwy. 641 bypass and the south right-of-way fence of Jackson Purchase Parkway for the following calls: North 58° 37' 23" West 122.16 feet, North 22° 35' 01" West 233.22 feet, North 18° 39' 21" West 282.65 feet; thence, North 70° 22' 44" East 488.00 feet to a 1/2" round steel pin set at the northwest corner of the property herein described, thence, South 48° 36' 05" West to the point of beginning.

Being a part of the same property conveyed to Andrew Sedlock and wife, Susan Phillips Sedlock, from Warren H. Gardner, et ux, by deed dated June 30, 1987 of record in Deed Book 224, page 519 and by virtue of the Last Will and Testament of Della Phillips of record in Will Book 11, page 118, all of the Marshall County Court Clerk's Office.

TO HAVE AND TO HOLD the said property unto the said David Henson and wife, Donna Henson, jointly and equally with right of remainder in fee simple title to the survivor of them, their heirs and assigns forever with "Covenant of General Warranty".

Given under our hands this the 15th day of September, 1988.


ANDREW L. SEDLOCK

SUSAN SEDLOCK

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STATE OF KENTUCKY
Sct.
COUNTY OF MARSHALL

The foregoing instrument was acknowledged before me this
15th day of September, 1988, by Andrew L. Sedlock
and wife, Susan Sedlock.

Jean Hillen
NOTARY PUBLIC

My commission expires: June 4, 1990

THIS INSTRUMENT PREPARED BY
LOVETT AND JOHNSON
Attorneys at Law
Benton, KY 42025

BY Martin W. Johnson
Martin W. Johnson

STATE OF KENTUCKY
Sct.
COUNTY OF MARSHALL

I, James R. English, Clerk of the County Court of said
County, do certify that the foregoing DEED was on the 20th
day of September, 19 88 lodged in my office for record.
Whereupon the foregoing and this certificate have been duly
recorded in my office in Deed Book No. 233, page 456.

Given under my hand this the 20th day of September,
19 88.

JAMES R. ENGLISH, CLERK

\$10.50 Recording fee paid

BY Jannie Fed. D.C.

\$30.00 Tax Collected

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.